



Case 2:18-cv-00661-RDP

2018-09-10 PM 4:58

U.S. DISTRICT COURT
N.D. OF ALABAMA

**United States District Court
Northern District of Alabama
Southern Division**

Pamela Stubbs
Plaintiff.

vs.

Compass Bank
Defendant.

COMPLAINT

I. JURISDICTION

1. The jurisdiction of court is invoked pursuant to 28 U.S.C. 1331, 1343, 42 U.S.C 1981 as amended, 28 U.S.C. 2201 and 2202, et seq., Title VII of the Civil Rights Act of 1964 as amended. The jurisdiction of this court is invoked to secure protection for and to redress the deprivation of rights secured by 2000€ providing relief against sex discrimination, retaliation, and a hostile work environment. Plaintiff has initiated her EEOC charge and received her Notice of Right to Sue Letter pursuant to Title VII prior to the filing of this complaint.

II. PARTIES

2. Plaintiff Stubbs is an African- American female living in Jefferson County, Alabama.

3. Defendant Compass Bank is a domestic corporation doing business in Jefferson County on the date of the events that are the basis for this complaint.

III. STATEMENT OF FACTS

SEX DISCRIMINATION

4. Plaintiff was hired in or about August 2007.

5. On 06/06/2017 Ms. Stubbs got sick and took a few days off work. She immediately started receiving harassing calls from HR per Kelly Ellis request as stated by Tamika Wren an HR Partner. Ms. Stubbs was also pulled into meetings with Team Lead Judy Jones and Manager Kelly Ellis concerning her attendance when she only had three occurrences. Ms. Stubbs was treated differently and handled harshly compared to a male co-worker, Keitric Wiley. Mr. Wiley stated to Ms. Stubbs that he was only given a verbal warning after his fifth occurrence.

6. On 07/28/2017 I was not paid. My hours worked were not submitted intentionally by Kelly Ellis. A couple of weeks later Kelly told a male co-worker, Keitric Wiley to adjust his entries on the system and she would approve his hours to ensure that he was paid on time.

7. Plaintiff alleges Sex Discrimination Under Title VII of the Civil Rights Act of 1964, as amended.

IV. PLAINTIFF'S RETALIATION CLAIM RETALIATION

8. On or about February 23rd, 2017 Ms. Stubbs complained on her manager Kelly Ellis. Ms. Stubbs stated to Kristen Metty that Kelly Ellis was making it difficult to meet departmental goals by assigning more difficult cases to her. Plaintiff Stubbs also stated that Kelly Ellis would walk up behind her and firmly place her hand on her shoulder. Ms. Stubbs asked that this behavior would stop and stated that she did not want Kelly touching her.

9. In one on one monthly meeting with my team lead Judy Jones from 01/2017 to 06/2017 Ms. Stubbs was told there were no issues with her work. Negative statement were written in her evaluations by Kelly Ellis. Copies of the evaluations from this time have been requested and have not been issued.

10. On August 4th 2017 Ms. Stubbs was accused of constantly falling below expected monthly production goals.

13. Plaintiff alleges retaliation under Title VII of the Civil Rights Act of 1964, as amended.

V. Hostile Work Environment

14. As stated by Ms. Stubbs, for several month Jacqueline Ligon, a co-worker defamed her character by spreading rumors throughout the department that she has a sexually transmitted disease. Other offensive comments were stated concerning her hair, clothing and that she was unclean. The behavior was reported to HR. The company hand book states that this type of behavior will not be tolerated. Jacqueline is still there continuing the same behavior.

15. On or around December 22nd 2017 Ms. Stubbs stated that she overheard co-worker Keitric Wiley say to Kristy Lovelace that Kelly Ellis said that she was going to fire Ms. Stubbs When she returns from vacation after Christmas. Kristy Lovelace response was by Felicia. This behavior is severely offensive and abusive.

WHEREFORE, PREMISES CONSIDERED. Plaintiff request the following relief:

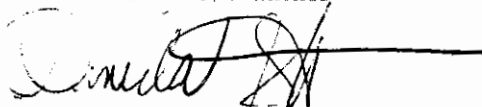
16. Although Plaintiff describes circumstances in the EEOC charge that fully reflect Sex Discrimination and Hostile Work Environment. the Plaintiff unintentionally did not check of "Other" box for Hostile Work Environment. The Plaintiff also unintentionally did not check box for sex discrimination.

WHEREFORE, PREMISES CONSIDERED, Plaintiff request the following relief:

1. Grant Plaintiff an order requiring Defendant to make Plaintiff whole by granting appropriate declaratory relief, compensatory and punitive damage.
2. Grant Plaintiff a permanent injunction enjoining Defendant, its agents, successors, employees, attorney and those acting in concert therewith from continuing to violate the civil rights laws.

Respectfully submitted this 7th day of September, 2018

Pamela Stubbs, Plaintiff



3317 Woodley Court
Hoover, Al 35216
205-422-8500

EEOC Form 5 (11/09)

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| CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. | | Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div style="text-align: right;"> 420-2018-00883 </div> </div> | |
| and EEOC | | | |
| State or local Agency, if any | | | |
| Name (Indicate Mr., Ms., Mrs.) Ms. Pamela D Stubbs | | Home Phone 205-422-8500 | Year of Birth |
| Street Address City, State and ZIP Code 3317 1st Street West, HOOVER, AL 35216 | | | |
| Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.) | | | |
| Name COMPASS BANK | | No. Employees, Members | Phone No. |
| Street Address City, State and ZIP Code 15 20th strret south, BIRMINGHAM, AL 35233 | | | |
| Name | | No. Employees, Members | Phone No. |
| Street Address City, State and ZIP Code | | | |
| DISCRIMINATION BASED ON (Check appropriate box(es)) <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> RACE</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input type="checkbox"/> SEX</div> <div style="width: 50%;"><input type="checkbox"/> RELIGION</div> <div style="width: 50%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 50%;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="width: 50%;"><input type="checkbox"/> AGE</div> <div style="width: 50%;"><input type="checkbox"/> DISABILITY</div> <div style="width: 50%;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="width: 50%;"><input type="checkbox"/> OTHER (Specify)</div> </div> | | DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 02-23-2017 12-22-2017 <input type="checkbox"/> CONTINUING ACTION | |
| THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I am a black female who has worked for the above named employer for ten years. On february 23rd, 2017 I complained on my manage Kelly Ellis. I complained ot her manager Kristin Metty. I told kristen that Kelly Ellis was reassigning more difficult cases to me. This would in-turn make it more difficult to meet expected goals of 20 cases weekly and 80 cases monthly. On August 4th 2017, I had a meeting with my team lead Judy Jones. Judy stated in the meeting that I was consistently below expected monthly production goals from May until July. Judy and I went over the numbers and it was found that I did meet production from May until July. After speaking with Kelly Judy called me back into the meeting and said I am being coached for not meeting production only for the month of July. Per Kelly Ellis there would no further changes made and time taken away from the job for a single day of vacation, holidays, sick days and meetings would not be considered. This course of action would insure failure to complete assigned work and lead to disiplinary actions including terminatin. Another incident During the month of July when I received approximately four phone calls from Tamika Wren, a HR Representative concerning my attendance. Two of the called occured while I was in the doctors office. Tamika wanted to known when I would be completing FMLA parpers per the request of Kelly Ellis. I asked Tamika how many occurances I had and she did not know. The next upon returing to work I received an email from Kelly stating that I have four occurances. We went back and forth concerning the matter and it was determined that I only had three and five occurances starts the diciplinary action process. I felt harrassed and believed this to be a form of retaliation</p> | | | |
| I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. | | NOTARY - When necessary for State and Local Agency Requirements | |
| I declare under penalty of perjury that the above is true and correct. | | I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT | |
| Digitally signed by Pamela Stubbs on 12-29-2017 02:36 PM EST | | SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) | |

EEOC Form 5 (11/09)

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| <p align="center">CHARGE OF DISCRIMINATION</p> <p align="center">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p> | <p>Charge Presented To: Agency(ies) Charge No(s):</p> <p><input type="checkbox"/> FEPA</p> <p><input checked="" type="checkbox"/> EEOC 420-2018-00883</p> |
| <p align="center">_____ State or local Agency, if any</p> | |
| <p>for complaining to Kelly Ellis manager. On December 22nd, 2017 I contacted HR Representative Tammy Fincher to complain about defamation of character by a co-worker with behavior being known to upper management. I told Tammy that Jacqueline Ligon a BSA Specialist and is under the management of Monica Fuquo. For several months Jacqueline has defamed my character by spreading rumors throughout the department that I have a sexually transmitted disease. Other offensive comments were stated concerning my hair, clothing, and that I am unclean. It is well known throughout the department that Jacqueline has conducted this type of behaviour in the past as it was stated to me by Keldric Williams that Jacqueline speaded rumors about him throughout the BSA department and caused co-workers to stray away from him. After hearing my complaint about Jacqueline, Tammy stated that there was not much that could be done. It is against company policy for myself and fellow employees to be subjected to such behavior. If employees of BSA/AML Department were questioned I am confidently sure that these accusations against Jacqueline Ligon will be found to be true and also that the behavior is known to management. In addition The week of December 22nd, 2017 I have been hearing rumors that I will be fired after I return from vacation which is the week of December 29th, 2017. It was said that my manager Kelly Ellis would seek to find error in my work that would result in termination. I have a right to a stress free work environment. It is unfair that my character is defamed by a co-worker and job threatened by my manager. I am seeking help to stop the rumor, harassment and retaliation.</p> <p>I believe that I have been retaliated against for engaging in protected activity in violation of Title VII of the Civil Rights Act of 1964, as amended.</p> | |

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| <p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p> | <p>NOTARY - When necessary for State and Local Agency Requirements</p> |
| <p>I declare under penalty of perjury that the above is true and correct.</p> <p align="center">Digitally signed by Pamela Stubbs on 12-29-2017 02:36 PM EST</p> | <p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p> |